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RE: Comments to FCC Proceeding Number 02-278

I am a resident of Indiana which has a "no-call" law. Indiana's law requires a person or household to file his telephone number on an "opt-out" maintained by the state. Certain entities, such as newspapers, are permitted to make solicitation calls regardless. Since the inception of Indiana's "no-call" law bothersome solicitation calls to my house have dropped to nearly zero, which I like.

I understand the FCC is considering a law implementing a national "no-call" registry which would supercede all state laws. I also understand this law may be much more lenient than Indiana's current law in that it would allow any business that I have done business with in the past to call me regardless of my wishes expressed by registering on the "do not call" list. The result will be that I again receive very annoying telemarketing calls. Why should my doing business with a company give them the right to bother me in my home? I can see their advertisements by *volountarily* buying a newspaper or magazine or turning on the television.

Please do not exempt any entity from the "no call" law you create.

If you must bow to pressure from telemarketers to allow exemptions to the Federal no-call rules, then allow states to maintain more restrictive rules that all telemarketers must obey within those states. This at least allows residents on a state-by-state basis to set the rules. This would be no different from California having automobile emission rules which are more stringent than the Federal rules.

I would be helpful to require all telemarketing operators to use a common area code (such as 899) and to transmit (do not block) their caller ID. At least in that way I can identify, and ignore, a telemarketer before answering the telephone.

Where does a retailer's right to try and sell me his product end? I would say at my front door! If I buy a newspaper or magazine or turn on my radio or television I expect to see and hear advertisements and see commercials. If I don't want to watch or listen I can turn the radio and television off. I can't turn off my telephone because I might miss an important call. Will you allow advertisers to remotely turn on my television when their commercial airs? If I'm in my home I expect to be able to enjoy my family and my privacy without being forced to converse with some nameless drone reciting a sales script!

Please consider a good greater than a business making more money.

Sincerely,

Joseph A. Cloutier

